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8 IN THE UNITED STATES DISTRICT COURT
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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,)
12 Plaintiff,) No. CR 07-0618 SBA
13 v.)
14) STIPULATION AND [PROPOSED]
15 STEVEN K. MURDOCK,) ORDER REFERRING CASE FOR
16 Defendant.) COMPETENCY HEARING
17 _____

18 Defendant Steven K. Murdock and the government, through undersigned counsel, hereby
19 stipulate and jointly move that the Court conduct a hearing to determine the mental competency of
20 the defendant, pursuant to 18 U.S.C. §4241(a). The parties further stipulate and jointly move that
21 the Court order that a neuropsychiatric examination be conducted of the defendant and filed with the
22 Court in accordance with 18 U.S.C. §4241(b). The parties jointly recommend that the examination
23 be conducted by Dr. Jonathan Mueller, M.D., a neuropsychiatrist affiliated with San Francisco
24 Clinical Neurosciences whose area of expertise is psychiatry and neuroscience as it relates to the
25 identification and treatment of Alzheimer's and other dementia -related illnesses. The reason for the
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1 requested competency evaluation is that Steven K. Murdock has been diagnosed with Alzheimer's
2 disease. His affairs are currently being handled by a conservator. In addition, a state court judge in
3 a civil case which was pending against Mr. Murdock in 2006 found Mr. Murdock incompetent to
4 proceed in the civil matter after Mr. Murdock was evaluated by a neuropsychologist in connection
5 with that matter. While the standard for competency in a federal criminal case may differ from the
6 standard which applied to the state civil matter, the parties agree that an evaluation is necessary.
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8 The parties further stipulate and agree that the time until the next status appearance on April
9 29, 2008 should be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(1)(A)
10 because of the need to conduct examinations and judicial proceedings to determine the competency
11 of the defendant.

12
13 DATED: April 2, 2008

/S/

14 JOYCE LEAVITT
15 Assistant Federal Public Defender

16
17 DATED: April 2, 2008

/S/

18 THOMAS MOORE
Assistant United States Attorney

19
20 SIGNATURE ATTESTATION

21 I hereby attest that I have on file all holograph signatures for any signatures indicated by
22 a "conformed" signature (/S/) within this e-filed document.

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ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that a hearing be conducted to determine the mental competency of the defendant in accordance with 18 U.S.C. §4241(a).

IT IS FURTHER ORDERED that a psychiatric examination be conducted of the defendant by Dr. Jonathan Mueller, M.D. and filed with the Court in accordance with 18 U.S.C. §4241(b).

IT IS FURTHER ORDERED that the time from now until the next status date, currently scheduled for April 29, 2008, at 9:00 am., be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. §3161(h)(1)(A) because of the need to conduct examinations and judicial proceedings to determine the mental competency of the defendant.

SO ORDERED.

DATED:

HON. SAUNDRA BROWN ARMSTRONG
United States District Judge